

REMARKS

Claims 1-55 remain pending in the application.

Claims 1-13, 23-29 and 36-55 over Aether

In the Office Action, claims 1-13, 23 and 36-55 were rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Aether Technologies document "Enterprise Data Wireless Center" ("Aether"). The Applicants respectfully traverse the rejection.

The opening paragraph of the rejection of claims 1-13, 23 and 36-55 refers to Aether Technologies document Enterprise Data Wireless Center with a print date of February 1999 (See Office Action, page 2). The body of the rejection and statements about the previously submitted Affidavit refer to AIM.net Architecture 1.1 with a print date of April 1999 (See Office Action, page 2-10). As is clear from the different print dates, the document Enterprise Data Wireless Center is a distinct document from document AIM.net Architecture 1.1. Since the body of the rejection and the Examiner's arguments appear directed to the alleged unsatisfactory language in the previously submitted Affidavit are directed to document AIM.net Architecture 1.1 ("AIM"), the Applicants are herein responding to the rejection of claims 1-13, 23 and 36-55 as allegedly being anticipated by AIM.

The Examiner indicated the Affidavit submitted March 15, 2005 is insufficient to overcome the pending rejection of claims 1-55 because the Affidavit allegedly lacks the fact that to the best of the assignee's knowledge the document was not published or available to the public before or on the filing date of the application (See Office Action, page 10).

To cure the alleged deficiency in the Affidavit filed March 15, 2005, the Applicants are submitting herein a new Affidavit supporting the Applicants' previous contention that the AIM document was **not** published or available to the public before or on the filing date of the application (as supported by the statement on page 6 of the document itself).

Thus, the AIM document was not "published" for public disclosure and does not qualify as prior art under 35 U.S.C. § 102(b). Because this

rejection is not based on prior art, it cannot properly stand. The Applicants respectfully request the rejection of claims 1-13, 23 and 36-55 be withdrawn.

Claims 14-22 and 30-35 over Aether in view of Archer

In the Office Action, claims 14-22 and 30-35 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over the Aether Confidential Reference in view of U.S. Patent No. 6,683,870 to Archer ("Archer"). The Applicants respectfully traverse the rejection.

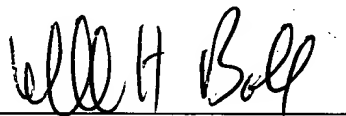
As discussed above, the AIM document does not qualify as prior art.

Since the rejection of claims 14-22 and 30-35 cannot stand on Archer alone, the Applicants respectfully request the rejection of claims 14-22 and 30-35 be withdrawn.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,
MANELLI DENISON & SELTER PLLC

A handwritten signature in black ink, appearing to read 'William H. Bollman', written over a horizontal line.

William H. Bollman
Reg. No.: 36,457
Tel. (202) 261-1020
Fax. (202) 887-0336

2000 M Street, N.W. 7th Floor
Washington D.C. 20036-3307
WHB/df